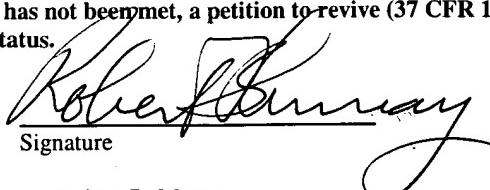


FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No.
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		3165-117		
INTERNATIONAL APPLICATION NO. PCT/EP2003/008013		INTERNATIONAL FILING DATE July 22, 2003		U.S. Application No. (if known, see 37 CFR 1.5) 10/522095 New Application
				PRIORITY DATE CLAIMED July 23, 2002
TITLE OF INVENTION 3-HETEROCYCLYL SUBSTITUTED BENZOIC ACID DERIVATIVES				
APPLICANT(S) FOR DO/EO/US Michael PUHL, Gerhard HAMPRECHT, Robert REINHARD, Ingo SAGASSER, Werner SEITZ, Cyrill ZAGAR, Matthias WITSCHEL, Andreas LANDES				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 				
ITEMS 11. TO 20. below concern other document(s) or information included:				
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input checked="" type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Published Application, PCT/IB/301, PCT/IB/304, PCT/IB/308, PCT/IPEA/409 				

U.S. APPLICATION NO. (If known, see 37 CFR 1.50) New Application No. 10/1522095	INTERNATIONAL APPLICATION NO. PCT/EP2003/008013	ATTORNEY DOCKET NO. 3165-117																
<p>21. The following fees are submitted: Basic National Fee (37 CFR 1.492)(a)(1)-(5):</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">a) Basic national Fee</td> <td style="width: 30%; text-align: right;">\$300.00</td> </tr> <tr> <td>b) Examination fee</td> <td style="text-align: right;">\$200.00</td> </tr> <tr> <td>c) Search fee</td> <td style="text-align: right;">\$500.00</td> </tr> </table> <p style="text-align: center;">TOTAL OF ABOVE CALCULATIONS = \$ 1,000</p>			a) Basic national Fee	\$300.00	b) Examination fee	\$200.00	c) Search fee	\$500.00										
a) Basic national Fee	\$300.00																	
b) Examination fee	\$200.00																	
c) Search fee	\$500.00																	
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Claims</th> <th style="width: 25%;">Number Filed</th> <th style="width: 25%;">Number Extra</th> <th style="width: 25%;">Rate</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>20 -20 =</td> <td>0</td> <td>X \$50.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$200.00</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td>+ \$360.00</td> </tr> </tbody> </table>			Claims	Number Filed	Number Extra	Rate	Total Claims	20 -20 =	0	X \$50.00	Independent Claims	1 - 3 =	0	X \$200.00	Multiple dependent claim(s) (if applicable)			+ \$360.00
Claims	Number Filed	Number Extra	Rate															
Total Claims	20 -20 =	0	X \$50.00															
Independent Claims	1 - 3 =	0	X \$200.00															
Multiple dependent claim(s) (if applicable)			+ \$360.00															
<p style="text-align: center;">TOTAL OF ABOVE CALCULATIONS = \$1,000</p>																		
<p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</p>																		
<p style="text-align: center;">SUBTOTAL = \$1,000</p>																		
<p>Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</p>																		
<p style="text-align: center;">TOTAL NATIONAL FEE = \$1,000</p>																		
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</p>																		
<p style="text-align: center;">TOTAL FEES ENCLOSED = \$1,040</p>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; text-align: right;">Amount to be refunded</td> <td style="width: 30%; text-align: right;">\$</td> </tr> <tr> <td colspan="2" style="text-align: right;">charged</td> </tr> </table>		Amount to be refunded	\$	charged														
Amount to be refunded	\$																	
charged																		
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ <u>1,000</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.</p>																		
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																		
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No. 6449</p> <p>Robert B. Murray Rothwell, Figg, Ernst & Manbeck 1425 K St., N.W. Washington, D.C. 20005 Phone: 202/783-6040</p>																		
 <u>Robert B. Murray</u> Name <u>22,980</u> Registration Number																		